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Producer Tells CBS Jurors Of Rationale on Interviews

By M. A. FARBER

In an effort to show that CBS was not objective in preparing its disputed documentary on Vietnam in 1981, lawyers for Gen. William C. Westmoreland questioned the program's producer, George Crile, yesterday about his reasons for not interviewing a number of officials who held high rank during the war.

Dan M. Burt, General Westmoreland's principal attorney, sought to illustrate at the general's \$120 million libel trial against CBS that Mr. Crile and his colleagues feared the officials would contradict the documentary's premise of a "conspiracy" by military intelligence officers in 1967 to minimize the strength of the enemy.

General Westmoreland was commander of United States forces in Vietnam from 1964 to 1968.

Mr. Crile — whose testimony in Federal District Court in Manhattan began last Wednesday but was interrupted by the appearance of Robert S. McNamara, the former Secretary of Defense — generally said he had no cause to interview the individuals cited by Mr. Burt.

Those officials, with their titles in 1967, included Ellsworth Bunker, the United States Ambassador to South Vietnam and General Westmoreland's immediate civilian superior; Adm. Ulysses S. Grant Sharp, the commander of American forces in the Pacific and General Westmoreland's immediate military superior; Maj. Gen. Phillip B. Davidson Jr., General Westmoreland's intelligence chief after June 1967, and Robert W. Komer, who was in charge of the "pacification" program in Vietnam and held the rank of Ambassador.

Mr. Burt said yesterday that in June 1981 General Westmoreland recommended that if CBS intended to be "fair and objective," it contact most of those officials, as well as others who were subsequently not interviewed.

Broadcast Assertion Contradicted

Mr. Komer testified at the trial in October and contradicted an assertion on the broadcast that General Westmoreland had suppressed a May 1967 report by Maj. Gen. Joseph A. McChristian, General Davidson's predecessor as intelligence chief, on the size of Vietcong irregular forces and political cadre.

At one point, Mr. Burt referred to a letter written by Mr. Crile in February 1981 in which he indicated his intention to interview Mr. Komer for the 1982 CBS Reports documentary, "The Uncounted Enemy: A Vietnam Deception." Mr. Burt also introduced a document from that period in which Mr.

Crile was advised by Samuel A. Adams, a paid CBS consultant, that Mr. Komer was an "impressive man" and to "expect fireworks."

Mr. Burt closed in on the witness, saying:

"You didn't interview Mr. Komer before the broadcast because you were afraid half the audience would believe him, isn't that right, Mr. Crile?"

But Mr. Crile said that was not the reason. Having interviewed other people about the same events in which Mr. Komer figured, he said, "We didn't feel the need to go to him."

Mr. Burt went on to show Mr. Crile an excerpt from unused portions of a filmed interview by CBS with Col. Gains Hawkins, an intelligence officer in Vietnam in 1967 who is expected to be a key witness for the network.

Colonel Hawkins, who told Mr. Crile in 1981 that he "arbitrarily reduced" estimates of enemy strength, explained in the same interview that Mr. Komer was "thoroughly, completely aware" of every figure "presented or rejected" regarding the enemy, "and you must assume that he was reporting to the White House."

"Do you recall Colonel Hawkins telling you that?" Mr. Burt asked.

But Mr. Crile said that the portion seized upon by Mr. Burt did not adequately portray Colonel Hawkins's views and that, in any case, Mr. Crile believed in 1981 that the colonel was mistaken about the extent of Mr. Komer's knowledge.

Off-Camera Remarks Excluded

"You can't take a piece of an interview and hold that up as the sum total of what Colonel Hawkins told me," Mr. Crile said.

From time to time in the 10-week-old trial, which is expected to last another 10 weeks, Judge Pierre N. Leval has cautioned witnesses against "debating" with the lawyer questioning them. And yesterday, in what he termed his most forceful instruction yet, he warned Mr. Crile to stop making self-serving "speeches."

"Let me explain to you in clear and unmistakable terms that that is not a proper role for you to be playing as a witness," Judge Leval told the 39-year-old producer after the jury was excused from the crowded courtroom.

General Westmoreland contends in his suit that CBS defamed him by saying he deceived President Lyndon B. Johnson and the Joint Chiefs of Staff about the size and nature of North Vietnamese and Vietcong troops in the year before the Tet offensive of 1968.

The broadcast contended that the purpose of the "conspiracy" was to show that American forces were winning the war.

Mr. Crile, as well as Mr. Adams and Mike Wallace, the narrator of the broadcast, is a defendant in this case. The producer, who will continue on the stand today, has been called as a "hostile witness" by Mr. Burt, making his direct testimony virtually the equivalent of a cross-examination.

Yesterday, for example, he brought out that Mr. Crile "very much" wanted to interview General Davidson in 1981 but had believed he was terminally ill with cancer. Mr. Burt asked Mr. Crile whether it was true that Mr. Adams had told him six weeks before the documentary was finished that General Davidson had recovered.

"Not to my recollection," the producer replied.

Mr. Burt showed Mr. Crile a question he had written for Mr. Wallace in advance of an interview with General Westmoreland in May 1981, asking whether the general had "confidence" in the two officers who had served him as chief of intelligence.

The contemporaneous notes for Mr. Wallace, according to Mr. Burt, added: "We want to get Westmoreland to say McChristian was great stuff. We don't give a goddamn about Davidson."

Mr. Crile testified that he had only wanted Mr. Wallace, at that time, to draw a clear distinction between the two intelligence chiefs.

"It was important that we didn't mix them," he told the jury.

General Davidson testified for General Westmoreland in October.

Earlier yesterday, Mr. Crile contradicted Mr. McNamara's testimony that the 1967 dispute over enemy strength statistics was "an honest difference of opinion."